

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
)
)
 v.) CRIMINAL ACTION
) NO. 04-40002-NMG
JOSEPH DIFLUMERA,)
 Defendant,)
)

STATUS REPORT
January 4, 2005

SWARTWOOD, M.J.

The following is a Status Report to Gorton, J. to whom this case is assigned:

1. Discovery

Mr. DiFlumera's counsel has requested additional time to review discovery produced by the Government in order to determine whether or not further discovery requests should be made. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on January 31, 2005, at 9:30 a.m., in Courtroom 16, Fifth Floor, John Joseph Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts.

3. Excludable Time

With the assent of counsel for the parties, I am excluding

from the Speedy Trial Act, the period from December 3, 2004 (date of expiration of prior order of excludable time) through January 31, 2005 (date by which Mr. DiFlumera and his counsel will have reviewed discovery produced by the Government). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Monday, April 11, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
MAGISTRATE JUDGE